

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

STANLEY EDMONDSON,)	
STEVEN GABBARD,)	
JARED HENSON,)	
ANTHONY THOMAS,)	
SKYLAR KUNKEL,)	
JUDD PONSLER,)	
ALFRED TURNER,)	
DUSTIN SHERMAN,)	
)	
Plaintiffs,)	
)	
v.)	No. 1:21-cv-00499-TWP-TAB
)	
DECATUR COUNTY DETENTION CENTER,)	
)	
Defendant.)	

**Order Dismissing Certain Plaintiffs
and Directing Filing of Amended Complaint**

This action was filed on March 3, 2021, with eight plaintiffs named on the complaint and listed in the caption. Dkt. 1. All were detainees in the Decatur County Jail. Not every purported plaintiff had signed the complaint, and none had paid the filing fee or sought leave to proceed *in forma pauperis*. Additionally, no suable defendant was named either because it was not a suable entity (the jail) or no allegations of actionable conduct had been alleged against them — i.e. Officers Levi and Helms and neither is listed in the caption.

Different plaintiffs made attempts to file amended complaints, but each was dismissed for essentially the same reasons the original complaint was dismissed, or because it sought relief for that plaintiff alone. *See* dkt. 28, 34, 47. Not all of the plaintiffs later filed motions for leave to proceed *in forma pauperis*, but the few that did failed to obtain a copy of their trust account transactions.

During the approximately ninety days since the original complaint was filed, only two plaintiffs have been granted leave to proceed *in forma pauperis* – Mr. Edmondson and Mr. Thomas. Dkt. 47. But Mr. Thomas has left the jail, and no forwarding address has been provided to the Court. *See* dkt. 46.

All other remaining plaintiffs (except Mr. Edmondson) have also left the jail and have not notified the Court of forwarding addresses. None of these plaintiffs renewed their motions for leave to proceed *in forma pauperis* after being given opportunities and instructions on how to do so. Mr. Edmondson is the only originally named plaintiff who remains in the Decatur County Jail.

Accordingly, all claims made by plaintiffs Steven Gabbard, Jared Henson, Anthony Thomas, Skylar Kunkel, Judd Ponsler, Alfred Turner, and Dustin Sherman are **dismissed** for failure to prosecute. The **clerk is directed** to terminate these plaintiffs from the docket.

Stanley Edmondson ("Mr. Edmondson") remains the sole plaintiff. But there is no operative complaint as all tendered amended complaints have been dismissed. If Mr. Edmondson wishes to continue this action as the sole plaintiff, he must file an amended complaint that identifies a person or persons who have personal responsibility in depriving him of his constitutional protections. He must identify his injury and what relief he seeks. The amended complaint need only be a "short and plain" statement showing entitlement to relief and putting the defendants on notice of what they must defend. Fed. R. Civ. P. 8. It must be signed. Fed. R. Civ. P. 11. Citations to legal authority or descriptions of administrative exhaustion do not need to be provided at this time.

An amended complaint will become the replace all of the previously filed complaints. It must contain the words "Amended Complaint" on its first page, with this action's case number – 1:21-cv-00499-TWP-TAB – also on the first page. Because using a form complaint might assist

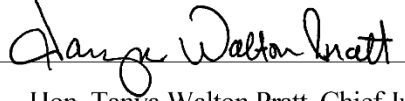
Mr. Edmondson in structuring his complaint, the **clerk is directed** to send Mr. Edmondson a form complaint with his copy of this Order.

Mr. Edmondson shall have through **July 14, 2021**, in which to file an amended complaint. If filed, it will be screened pursuant to 28 U.S.C. § 1915A. If an amended complaint is not filed by that deadline, this action will be dismissed and final judgment entered without further notice or opportunity to be heard.

In summary, the Court has **directed the clerk** to **dismiss** all plaintiffs other than Stanley Edmondson and terminate them from the docket. The **clerk is also directed** to send Mr. Edmondson a civil complaint form with his copy of this Order. Finally, if no amended complaint is filed by **July 14, 2021**, this action will be dismissed and final judgment entered.

IT IS SO ORDERED.

Date: 6/11/2021


Hon. Tanya Walton Pratt, Chief Judge
United States District Court
Southern District of Indiana

Distribution:

Stanley Edmondson
Decatur County Detention Center
601 S. Ireland Street
Greensburg, IN 47240

Steven Gabbard
Decatur County Detention Center
601 S. Ireland Street
Greensburg, IN 47240

Jared Henson
Decatur County Detention Center
601 S. Ireland Street
Greensburg, IN 47240

Anthony Thomas
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